

FRAN PAVLEY

Assemblymember, 41st District

NEWS

A MONTHLY ELECTRONIC NEWSLETTER TO THE 41st ASSEMBLY DISTRICT
(Including Agoura Hills, Calabasas, Encino, Malibu, Hidden Hills, Lake Sherwood, Oak Park, Pacific Palisades, Port Hueneme, South Oxnard, Santa Monica, Tarzana, Topanga, Westlake Village, and Woodland Hills.)

SEPTEMBER-OCTOBER 2005 EDITION

Wildfire Season Begins



*Photos taken by District Director Louise Rishoff
on an aerial tour of the affected areas.*

Grateful residents join me in thanking our heroic firefighters. Training, a flawless unified command, and adequate resources made the difference.

(More)

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2005 Legislative Session Ends

Eleven bills I authored this year passed both houses of the Legislature and were sent to the Governor for action. They continue my efforts to pursue important public interest reforms, including reducing California's dependence on foreign oil, improving air quality, increasing children's safety, environmental health, solar incentives, and prescription drug reform. Three bills have already been signed by the Governor: AB 1048 which increases public safety by expanding drug testing and inspections on freight trucks; AB 1007 which requires the California Energy Commission and Air Resources Board to develop a plan for increasing alternative fuels; and AB 1507 which requires health clubs to make Automatic External Defibrillators (AEDs) available to their members. One bill, AB 78 which would have saved the state an estimated \$18 million annually by increasing the financial disclosure employers receive from pharmaceutical middlemen known as Pharmacy Benefits Managers (PBM), has been vetoed by the Governor.

Here is a brief overview of my bills that are still on the Governor's Desk:

AIR QUALITY / ENERGY SUPPLY

AB 1383: Creates a loan program to encourage affordable housing developers to install solar on low-income housing units. This is a companion measure to the Million Solar Roofs Initiative. Solar on affordable housing units could decrease disadvantaged residents' energy bills by over 75%.

AB 1660: Creates the nation's first Clean-Air-Vehicle Bulk Purchase Program. Requires the state to work with cities, counties, and local districts so existing vehicle fleets can be updated with hybrid and alternative fuel vehicles.

ENVIRONMENT

AB 1125: Requires retailers that sell toxic rechargeable batteries in California to take back used rechargeable batteries for recycling, reuse, or proper disposal, at no cost to the consumer. These batteries are in products such as laptop computers, power tools, cordless telephones, camcorders, cellular phones, and professional radios. The California Department of Toxic Substances Control currently recognizes all rechargeable batteries as hazardous waste, which is banned from our landfills.

AB 1415: Prohibits the sale and distribution of products with mercury-containing switches, relays, and measuring devices effective July 1, 2006. Mercury can be found in numerous products like thermostats, household appliances, and blood pressure measuring devices. When these products are broken or disposed of, mercury can be released into the air and eventually make its way into water bodies where it accumulates in the food chain and can be taken up by fish and wildlife.

AB 1721: Makes technical changes to my landmark K-12 environmental education legislation signed into law in 2003 which required curriculum to be enhanced with environmental instruction during future textbook adoptions.

CHILDREN'S SAFETY

AB 1565: Directs the Department of Education to hire an independent contractor to conduct a pilot study of child care rating systems. The pilot study would be guided by a broad stakeholder process and result in the submission of final recommendations to the legislature on the best/most effective rating system for California's licensed child care facilities.

HEALTH CARE

AB 1648: Creates an awareness campaign geared towards medical professionals regarding Reflex Sympathetic Dystrophy (RSD), a nervous system disorder which causes excruciating pain. RSD can affect people of all ages but occurs most often with 40 – 60 year olds. It is estimated that RSD affects anywhere from 1.5 million to 6 million people in the United States—exceeding those with breast cancer, HIV/AIDS and multiple sclerosis combined. There is currently no test to detect RSD and no cure has been discovered.

I have also co-authored several important bills this year, but three stand out as those I am most proud to have co-authored:

AB 22 (Co-author of Assemblymember Lieber's Bill): Establishes a new crime of trafficking of a person, including a child, for forced labor, and permits a victim of human trafficking to bring a civil suit for damages. Was signed into law by the Governor.

AB 772 (Co-author of Assemblymembers Chan and Frommer Bill): Creates the California Healthy Kids Insurance Program, and expands eligibility, with Federal dollars paying the majority of the cost. Waiting for action from the Governor.

SB 820 (Co-author of Senator Kuehl's Bill): A comprehensive and important bill that will require the state to prepare regular inventories of groundwater to all local and regional government planning departments related to use of groundwater. Waiting for action from the Governor.

The Governor has until October 9 to sign or veto these measures. If he takes no action on a bill by the deadline, it automatically becomes law. Many of my bill ideas come from the community, so specific suggestions for legislation next year are invited and can be sent to either my Capitol or District Office this fall.

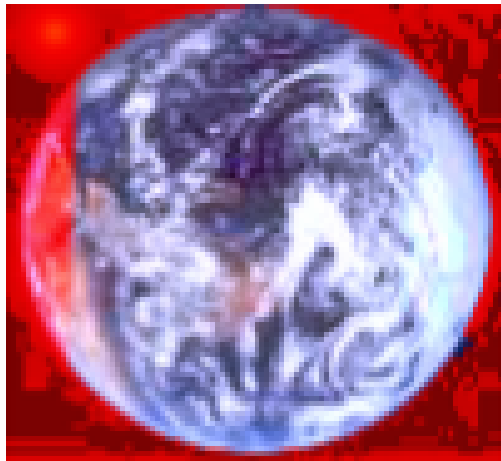
Courts Are Dealing with Greenhouse Gas Challenges

As reported in earlier newsletters, I've been disappointed by the decisions by both American and international automakers to file lawsuits to stop implementation of the vehicle emission regulations contained in my bill, AB 1493. Cars and trucks make up the second largest source of global warming pollution, sending heat-trapping emissions into the air for decades.

Another court case will be very interesting to follow. Last month, a Federal judge ruled for the first time in the country that environmental groups and U.S. cities have legal standing to sue two Federal

development agencies – Overseas Private Investment Corp., and the Export-Import Bank of the United States. At present, environmental studies are required on Federal development projects in the U.S., but U.S.-backed projects outside the country are exempt. The lawsuit asserts that the law should apply because those developments are contributing to the degradation of the U.S. environment by contributing to global warming. It claims that six percent of the world's greenhouse gases come from projects supported by the two Federal agencies.

The City of Santa Monica is one of the plaintiffs in this litigation. The case is Friends of the Earth



development agencies – Overseas Private Investment vs. Watson, 02-4106.

Are You Prepared?

Hurricane Katrina was a virtually unprecedented natural disaster in U.S. history. Nevertheless, it has been a wakeup call to all emergency preparedness agencies and groups that we can't ever do too much to be ready. On November 2nd, 6:30 pm at Piece College, I'll be hosting a community forum on the subject of emergency preparedness in the San Fernando Valley. It will include representatives from Federal, state and local organizations. Details will be announced in my October newsletter.

As we saw with Katrina, the first step is to be as disaster ready as you can be personally. Here are ten ways that the Governor's Office of Emergency Services says you can be disaster prepared.

- 1. Identify Your Risk** What are the hazards where you are? Flooding? Wildfire? Earthquake? Seek out information on that risk and get informed. And make sure your insurance coverage is up to date.

2. **Create a Family Disaster Plan** Know where you will all meet if you have to evacuate. Have an out-of-state person ready as a common contact. Think about what the needs are for your family, and write it all out.
3. **Practice the Plan** Rehearse what you will do. Ex., whether to stay put inside, or to evacuate and take any important items with you.
4. **Have a Disaster Supply Kit on Hand** Help may be delayed, and you may be stranded in your home, place of work, or even your car. Think about the basics, including medications and what you will need for family pets.
5. **Prepare Your Children** Talk with your kids and involve them in the planning so that they're prepared, not frightened.
6. **Think About Special Needs** Medical supplies or other aids should be on hand, and make sure that if you have a family member in an assisted living facility, that you know what their disaster plan is.
7. **Learn CPR and Basic First Aid** Your local Red Cross chapter has training available that could be critical following a disaster.
8. **Eliminate Hazards** Clear brush if you are in a high fire danger area. Inspect your home or workplace for hazards that might occur from shaking or an explosion. Strap down large electronic objects, think about tall or unstable items, etc.
9. **Understand post-9/11 Risks** If you hear an explosion, take cover under a sturdy table or desk, then exit as soon as possible. If there is a fire, stay low, cover your nose and mouth with a wet cloth, and seek a safe escape route, which should be part of your plan. If you are trapped under debris, cover your nose and mouth and try to avoid breathing dust. Signal by whistling, tapping, etc. Don't shout – conserve your energy.
10. **Get Involved** Donate blood. Join a local emergency response team, get educated, volunteer. Do whatever you can to help.

I have simple brochures that include all these tips available on request from my District Office.

405 Carpool Lane Funding Hits a Bump

There are few issues that impact Valley residents more on a daily basis than traffic congestion, and few highways in the U.S. that are more congested than the 405. Thanks to the leadership of Congressman Howard Berman, \$130 million was allocated in the new Federal transportation bill to construct a carpool lane on the northbound 405 Freeway from the Santa Monica (10) Freeway to the Ventura (101) Freeway. It is estimated that this project will cost between \$500 million and \$750 million, so full funding will have to be a partnership with other transportation agencies.

To speed up the actual construction timeline, I co-authored a bill that would, hopefully, have fast-tracked the project by authorizing the MTA, in consultation with CalTrans, to use the "design-build" process. This would have allowed the carpool lane to be both designed and built by the same contractor. Although CalTrans has been successful with a design-sequencing process, other states and the

MTA have experienced success with design-build. And with L.A. Mayor Antonio Villaraigosa actively championing the project, design-build seemed to be the most likely to deliver the project on time. The urgency was compounded by the risk of losing the \$130 million Federal commitment if construction didn't begin by 2009.



With just a few weeks left of session and a difference of opinion over the merits of "design-build" versus "design-sequencing," SB 1026 finally passed the full Assembly on September 8th. Unfortunately, the clock ran out on the bill when the Senate closed down for the year that night.

A great deal of effort went into getting this legislative authority to the MTA. Mayor Villaraigosa and L.A. Councilwoman Wendy Gruel, chair of the city's transportation committee, will be working to help convince my colleagues in the Senate, between now and when we reconvene in January, to support passage of this legislation.

Trash Longevity

You may be surprised at how long items that are commonly and carelessly tossed into the environment will last. Yet more reasons to reduce, reuse, recycle and buy recycled products and packaging.

Cigarette butts (#1 on the beach litter list)	1 - 5 years
Plastic bags	10-20 years
Tin or steel cans	50 years
Aluminum cans	200 years
Plastic bottles	450 years
Monofilament fishing line	600 years
Styrofoam cups and packaging	Undetermined

September Sustainable41 Business Award

Congratulations and thanks to Stephen Green, owner of Regal Cleaners, 881 Via de la Paz, in Pacific Palisades, for his leadership on ways that the dry cleaning industry can operate in more environmentally-friendly ways.

I toured the Regal facility this past weekend, and saw the state-of-the-art equipment that uses a new synthetic solution as the cleaning agent instead of perchlorethylene, which has been linked to toxic health impacts and other adverse environmental impacts. Although the South Coast AQMD has mandated that all Southern California cleaners must convert to non toxic, non-smog forming solvents by the year 2020, Green purchased the new equipment for Regal and his other locations now "because it's the right thing to do."



I-r, Stephen Green, Assemblymember Pavley, and Stephen's father Lawrence. We were also joined by Stephen's mother Muriel and Lisa Bruno.

And not only will the environment benefit from this conversion, but customers as well, since the new system is safer for color and fabrics, and makes it safe to clean items that need special treatment, like sequins, beading and leather.

Stephen Green was the founder and president of Concerned Dry Cleaners for a Clean Environment, and serves as an advisor and expert, including for the Environmental Protection Agency, on ways his industry can be more earth friendly. He has two other locations in West L.A. and Sherman Oaks. I was pleased to recognize this fourth-generation dry cleaner as my September **Sustainable41** business award winner.

I want to continue recognizing businesses that are incorporating sustainable "green" practices into their operations, so please forward deserving nominations to me.

City of Santa Monica – Santa Monica has become a model city for sustainable practices, and is honoring their local businesses with their own Sustainable Quality Awards. I

was pleased to recognize the city on the occasion of the 11th anniversary of their Sustainable City Plan with a Sustainable41 certificate of recognition. The September 25 *Los Angeles Times Magazine* also recognized the city as "the leader in promoting green buildings", including their building grants for LEED-certified buildings and Green Building Resource Center with state-of-the-art information available. The city's green-building advisor is convinced that "green building is here to stay."

For more information on how changes both big and small can help make a difference, contact the City of Santa Monica via e-mail at environment@santa-monica.org.

Palisades Farmers Market

Earlier this month I again hosted one of my Mobile District Offices at the Palisades Farmer's Market, joined by my District Director, Louise Rishoff, and Field Deputy Timothy Lippman. I enjoyed the chance to meet with local residents and to hear what's important to them and their community. My staff will be following up on several issues that people brought to my attention and which I might not otherwise have been aware of.



Always Nice to be Recognized

September 16 – American Lung Association's "President's Award"

For "demonstrated legislative leadership in addressing major public health issues, including improving indoor and outdoor air quality, ensuring access to health care and reducing the burden of tobacco." The Lung Association has been one of my strongest partners for both information and advocacy on the serious health implications of not cleaning up our air quality. I received this award as part of a conference in San Francisco, which also recognized the dedicated volunteers and staff who are working hard every day to protect our health.

September 16 – Redefining Progress (RP) inaugural "Redefiner Award"

Presented every ten years "to individuals who have succeeded in defining and moving us toward a sustainable economy that integrates social justice, long-term economic growth, and a healthy environment." RP hosted a very impressive reception and dinner in San Francisco on the same night as the Lung Association dinner, so it was a race between the two events. I was honored to be recognized along with National SEIU President, Andy Stern and Congresswoman Hilda Solis. Adrienne Alvord, from my Capitol Office, and I have been working with RP's staff on AB 32 – a bill I've authored to address greenhouse gas emission reductions from stationary sources. RP is an innovative policy-oriented think tank with offices in Oakland and Washington, D.C.

September 25 – The California Native Plant Society "Legislator of the Year 2004"

Presented in recognition of the pivotal role elected officials can play in promoting native plant conservation. CNPS gave me a beautiful framed photograph of native lupine and coreopsis at a lovely garden party hosted at the Calabasas headquarters of the Mountains Restoration Trust.

Bits 'n Pieces

Grant Awards

California Office of Traffic Safety Grants

\$128,000 to Oxnard's Safer Streets program to focus on red-light-running, speed, and pedestrian and bicycle safety

\$150,000 to Ventura County Avoid Program to alert people when DUI checkpoints will be up during holiday and other key periods with the intent of making people think twice before drinking and driving.

California Breast Cancer Research Program, University of California

\$25,000 to Susan Love Research Foundation of Pacific Palisades

\$283,200 to John Wayne Cancer Institute of Santa Monica

Grant Opportunity

The **L.A. County Arts Commission** is currently accepting applications from nonprofit organizations to create visual and performing arts projects, to strengthen infrastructure, and to provide access to the arts for children and adults. For more information, contact Janine Perron, Director of Grant Programs at (213) 974-1394, or e-mail her at jperron@lacountyarts.org.

Upcoming Events

Agoura Hills – Reyes Adobe Days Fall Festival

- **Saturday, October 15, 9:00 a.m.** – Parade along Thousand Oaks Blvd. I look forward to riding in the parade. Which will be followed by tours of the wonderful restored Reyes Adobe from 10:00 a.m. to 4:00 p.m.
- **Sunday, October 16, 8:00 a.m. to 11:00 a.m.** Pancake breakfast at the Reyes Adobe Park, and activities throughout the day in the city. Call city hall at (818) 597-7300 for information.

Agoura Hills – Scam Stopper Forum

- **Saturday, November 5, 10:00 a.m.** at Agoura Hills City Hall – I'm hosting this community event with representatives from state and Federal agencies to share important information on ways to avoid being a victim of scams like home improvement frauds, identity theft, investment frauds, and insurance and senior scams. Call my district office for more information.

Ormond Beach acquisition celebration

- **Wednesday, October 12, 11:00 a.m.** I look forward to celebrating the prized acquisition of 276 acres at Ormond Beach with the City of Oxnard and the Coastal Conservancy, and am excited about the restoration of this vital wetlands area. The combined efforts of the community, stakeholders and local and state agencies, is making this important restoration project possible. Thanks to everyone who has worked so long and so hard.

Oxnard – Children's Health Fair and Forum

- **Saturday, October 29, 1:00 to 5:00 p.m.** Assemblymember Pedro Nava and I are co-hosting an afternoon of supervised activities, booths, and a forum at 2:00 p.m. at the Oxnard Boys and Girls Club on E. Fifth Street. The forum will include expert panelists from the community and the state, presenting the latest and most up-to-date information on services and things that you can do to keep your kids and family healthy.

Port Hueneme Chamber of Commerce

- **October 12** – I'll be the speaker at the Chamber's monthly breakfast meeting.

Santa Monica – Madison Performance Series

- **October 1 from noon to 2:00 p.m.** The Madison Project of Santa Monica College will be presenting the **World Jewish Music Festival** at the Santa Monica Pier. This eclectic afternoon free family event will include a wide range of music styles, including traditional Jewish folk dancing and a classical trio performing new and established works. For more info, visit the event website at www.festivalofsacredmusic.org.



Which Hybrid Vehicles Can Use HOV Lanes?

With the DMV now issuing the required stickers for qualifying hybrid vehicles to use HOV (carpool) lanes, my office has received inquiries from current and prospective hybrid purchasers about which vehicles are eligible.

The most up-to-date information can be found on the California Air Resources Board website at www.arb.ca.gov. Just scroll down to "Single Occupant Carpool Lane Use Stickers." It will also provide you with a link to the DMV application form, which can be filed on-line.

I have also received a number of complaints about the number of, bright color, size and design of the stickers being issued by the DMV and which must be affixed to the exterior of the vehicles. These decisions were made by the CHP, in consultation with the DMV. Although I believe that the required display on the cars is probably excessive, it appears unlikely that the decision will be altered.

Key Dates re the November 8 Special Election

September 29 – October 18

October 11 – November 1

October 24

November 8 ELECTION DAY

Sample ballots will be mailed to eligible voters

Requests for absentee voter applications may be filed

Last day to register to vote or transfer to vote

Polls open at 7:00 a.m. and close at 8:00 p.m.

Assemblymember Pavley's Committee Assignments

Budget Committee
Education Committee
Transportation Committee
Water, Parks and Wildlife Committee
Chair, Budget Subcommittee #3 on Resources
Chair, Select Committee on Air and Water Quality
Select Committee on Runaway Production
Select Committee on Ports

Legislative Advisory Committee – Wildlife Conservation Board
Legislative Advisory Committee – California Coastal Conservancy
Santa Monica Mountains Conservancy Board

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Or visit my website at www.assembly.ca.gov

If you know of anyone who you think would like to receive these newsletters, please e-mail their name, mailing address and e-mail address, and I'll be happy to add them to my list.

